

Remarks

In the Office Action, claim 4 was objected to as being dependent upon a rejected base claim, but it was noted that the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for recognizing the allowability of this claim. Further, claims 1-3, 5 and 6 were rejected for anticipation under 35 U.S.C. § 102(b).

In the instant Response, claim 4 has been cancelled and claims 1, 5, and 6 have been amended. Thus, claims 1-3 and 5-6 are currently pending.

Rejection under 35 U.S.C. § 102

Claims 1-3, 5, and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,385,510 ("Hoog").

Claim 1 has been amended to incorporate the limitation of claim 4, which was deemed allowable by the Examiner. Thus, claim 1 is not anticipated by Hoog. Reconsideration and withdrawal of the rejection is respectfully requested.

Because claims 2-3 depend directly from claim 1 and incorporate all the limitations of claim 1, the above argument obviates the basis for the rejections of claims 2-3 as well. Thus, claims 2-3 are not anticipated by Hoog. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 5 has been amended to incorporate the limitation of claim 4, which was deemed allowable by the Examiner. Thus, claim 5 is not anticipated by Hoog. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 6, as amended, is directed to a method of managing energy consumption by equipment located at a site. The method includes calculating a total cost of a selected piece of equipment, based on a purchase cost, a repair cost, and an energy consumption cost. Hoog fails to teach or suggest such a calculation. In fact, it was stated in the outstanding Office Action that a system having total cost software for calculating a total cost of a selected piece of equipment, based on a purchase cost, a repair cost, and an energy consumption cost is novel over Hoog. Thus, claim 6 is not anticipated by Hoog. Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

Applicants respectfully submit that claims 1-3 and 5-6 are in condition for allowance.
Reconsideration and a Notice of Allowance for all pending claims is respectfully requested.

Respectfully submitted,

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